

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Jarvis Hall

4501 Ocean Drive

Tuesday, July 14, 2009

7:00 P.M.

1. **CALL TO ORDER, MAYOR ROSEANN MINNET**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION** – Reverend George Hunsaker
4. **PRESENTATIONS**
 - a. BSO Deputy of the Quarter – April, May and June 2009 (Lt. Angelo Cendeno)
5. **PUBLIC COMMENTS**
6. **REPORTS**
7. **PUBLIC SAFETY DISCUSSION**
8. **TOWN MANAGER REPORT**
9. **APPROVAL OF MINUTES**
 - a. May 26, 2009 Regular Meeting Minutes
 - b. June 9, 2009 Regular Meeting Minutes
 - c. June 30, 2009 Conference / Roundtable Minutes
10. **ORDINANCES**
 1. **Ordinances 1st Reading - "Public Comments"**
 - a. **Ordinance 2009-12:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING CHAPTER 17 "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES," ARTICLE VI "SIDEWALK CAFÉS," SECTION 17-89 "REQUIREMENTS OF A SIDEWALK CAFÉ PERMIT;" PROVIDING FOR SEVERABILITY;

PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- b. **Ordinance 2009-25:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE SEA AMENDING CHAPTER 20, ARTICLE II, SECTION 20-19 PROVIDING FOR RATES AND CHARGES OF TOWN SANITARY SEWAGE DISPOSAL SERVICE; PROVIDING FOR CODIFICATION AS ARTICLE II OF CHAPTER 20 OF THE CODE OF ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE

2. Ordinances 2nd Reading – “PUBLIC HEARING”

- a. **Ordinance 2009-10:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING CHAPTER 30 “UNIFIED LAND DEVELOPMENT REGULATIONS,” ARTICLE I “IN GENERAL,” SECTION 30-21 “NON-CONFORMING USES AND STRUCTURES” TO AMEND REQUIREMENTS FOR CONTINUATION OF NON-CONFORMING USES AND STRUCTURES; AMENDING ARTICLE IV “SITE PLAN PROCEDURES AND REQUIREMENTS,” SECTION 30-123 “APPLICATION FOR FINAL SITE PLAN APPROVAL” TO CLARIFY THE REQUIREMENTS FOR AN APPROVED SITE PLAN TO REMAIN EFFECTIVE; AMENDING ARTICLE V “ZONING,” DIVISION 2 “DISTRICTS,” SECTION 30-211 “RS-5 DISTRICT—RESIDENCE” TO AMEND ROOF OVERHANG SETBACK REQUIREMENTS IN THE RS-5 DISTRICT; AMENDING ARTICLE V “ZONING,” DIVISION 2 “DISTRICTS,” SECTION 30-261 “B-1-A DISTRICT-BUSINESS” IN ORDER TO PROVIDE THAT BEAUTY SCHOOLS AND HAIR SALONS ARE PERMITTED USES IN THE B-1-A DISTRICT; AMENDING ARTICLE V “ZONING,” DIVISION 2 “DISTRICTS,” SECTION 30-271 “B-1 DISTRICT- BUSINESS” IN ORDER TO PROVIDE THAT COOKING SCHOOLS, CATERING BUSINESSES, MOTORIZED SCOOTER OR MOPED SALES AND RENTALS ARE PERMITTED USES IN THE B-1 DISTRICT; AMENDING ARTICLE V “ZONING,” DIVISION 2 “DISTRICTS,” SECTION 30-313 “GENERAL PROVISIONS” IN ORDER TO AMEND THE REQUIREMENTS FOR FENCES, WALLS, AND HEDGES AND TO PROVIDE DEVELOPMENT STANDARDS FOR DRIVEWAYS, SWALES, AND GENERATORS; FURTHER AMENDING ARTICLE VIII “SIGN REGULATIONS,” SECTION 30-507 “DEFINITIONS AND RESTRICTIONS BY SIGN TYPE,” TO AMEND THE DEFINITIONS OF “SIGN,” “INFORMATIONAL, DIRECTIONAL OR TRAFFIC CONTROL SIGN,” AND “REAL ESTATE SIGN”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE *Approved on 1st reading May 12, 2009*

11. COMMISSIONER COMMENTS

12. CONSENT AGENDA

- a. Commission approval of Special Event Permit application for Athena by the Sea's "Wine and Food Festival" event, Saturday, October 31, 2009, at 8:00 AM till Sunday, November 1, 2009 11:00 PM (Assistant Town Manager Olinzock)
- b. Commission approval of Agreement for Stormwater System Design on SE 21st Avenue at SE 16th Street with Chen & Associates, in the amount of \$4,850.00 (Assistant Town Manager Olinzock)

13. RESOLUTION – "Public Comments"

- a. **Resolution 2009-17:** A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING THE WAIVER OF CERTAIN PARKING FEES FOR SHORT-TERM GOVERNMENTAL USE; AND PROVIDING AN EFFECTIVE DATE

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

- a. Commission approval of amendment to existing agreement with Enforcement Technology, Inc. for Processing Parking Citations - \$2,100.00 (Assistant Town Manager Olinzock) (This item was deferred at the April 29, 2009 Commission meeting by Commissioner Dodd) *Deferred at the June 23, 2009 Commission meeting as requested by staff*
- b. Discussion and/or action to change the September 8, 2009 Commission meeting to another day (Mayor Minnet) *Deferred at the June 23, 2009 Commission meeting by Vice Mayor McIntee*
- c. Commission approval of reduction of right-of-way permit performance bond for Villas By The Sea Development, as requested by Minto Communities, LOLC (Assistant Town Manager Olinzock) *(Deferred at the June 23, 2009 Commission meeting by Vice Mayor McIntee)* Request to defer to July 28, 2009
- d. Selection of a Pioneer for the 37th Annual Broward County Pioneer Day recognition ceremony (Mayor Minnet)
- e. Discussion and/or action regarding location and quantity of custom banners (Assistant Town Manager Olinzock)
- f. Discussion and/or action regarding installation of monument in honor of past Mayors and Commissioners (Assistant Town Manager Olinzock)

16. NEW BUSINESS

- a. Reconsideration of FWC application for parking permits at the beach (Commissioner Dodd)
- b. Reconsideration of Beach and Residential Parking Permit Fees (Mayor Minnet)
- c. Discussion and/or action to instruct Town staff to investigate: 1) Terms of contract termination agreements for surrounding municipalities, and 2) Ways to minimize termination costs for immediate firing, resignation and allowing a manager to finish the terms of the current contract (Commissioner Dodd)
- d. Discussion and/or action on postponing the reef project to use the funds for upgrading the Public Services Building and to provide police facilities commensurate with other municipalities (Commissioner Dodd)
- e. Discussion and/or action regarding pavilion drainage (Commissioner Dodd)
- f. Discussion regarding complimenting employees on the tremendous work they did on the 4th of July celebration (Vice Mayor McIntee)
- g. Schedule Workshop for discussion with Master Plan Steering Committee and the El Mar Drive design (Requested at the June 23, 2009 Commission meeting by Commissioner Silverstone and Mayor Minnet)

17. TOWN ATTORNEY REPORT

18. ADJOURNMENT

19. FUTURE AGENDA ITEMS

July 28, 2009 - D/A on presentation of life saving awards

July 28, 2009 - D/A Kite Surfing

July 28, 2009 - Quasi Judicial Hearing – Variance Application 1658 W. Terra Mar Drive

July 28, 2009 - Ordinance 2009-14 – Noise Ordinance (2nd reading)

July 28, 2009 – Resolution 2009-18 Adopt Proposed Fire Assessment

July 28, 2009 – Resolution 2009-19 Adopt Proposed Millage

Town Commission Regular Meeting Agenda
July 14, 2009

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 776-0576 FOR ASSISTANCE.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.